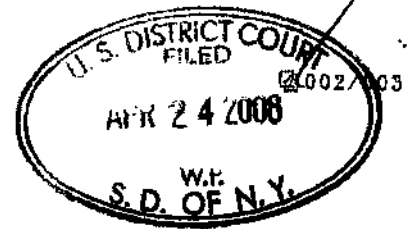


03/12/2008 10:22 FAX 914 390 4179

U.S. District Court



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Omnipoint Communications, Inc., et al.

**CIVIL CASE DISCOVERY PLAN  
AND SCHEDULING ORDER**

Plaintiff(s),

- against -

The Town of Ramapo, et al.

08 Civ. 2419 (SCR)

Defendant(s).  
-----X

The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rules 26(f) and 16 of the Federal Rules of Civil Procedure. (Note: all proposed dates should be for weekdays only)

The case ~~(is)~~ is not to be tried to a jury.

Joinder of additional parties must be accomplished by May 1, 2008.

Amended pleadings may be filed until May 15, 2008.

**Discovery:**

1. Interrogatories are to be served by all counsel no later than Not applicable, and responses to such interrogatories shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall not apply to this case.

2. First request for production of documents, if any, to be served no later than Not applicable.

3. Depositions to be completed by September 30, 2008.

- a. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
- b. Depositions shall proceed concurrently.
- c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

4. Any further interrogatories, including expert interrogatories, to be served no later than Not applicable.

MICROFILM

APR 24 2008

USDCSD NY WP

03/12/2008 10:22 FAX 914 390 4179

U.S. District Court

003/003

5. Requests to Admit, if any to be served no later than Not applicable.
6. Additional provisions relating to discovery agreed upon by counsel for the parties ~~(are)~~ are attached and made a part hereof.
7. All discovery is to be complete by October 30, 2008.

**June 27th, 2008 @ 10:00am**

**Initial Case Management Conference**  
**(To Be Complete By Court) (Counsel in receipt of this scheduling order is to notify their adversary of the date and time of this Initial Case Management Conference)**

Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the Court so orders.

This case has been designated to the Hon. \_\_\_\_\_, United States Magistrate Judge at White Plains for discovery disputes if the Court is "unavailable" and for trial under 28 U.S.C. § 636(c) if counsel execute their consent in writing.

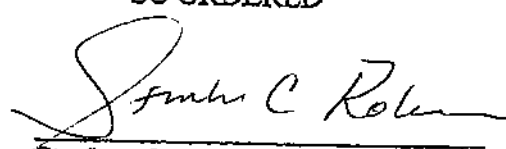
Unless otherwise ordered by the Court, the parties are expected to commence discovery upon the receipt of this signed Scheduling Order.

Strict compliance with the trial readiness date will be required. This Plan and Order may not be changed without leave of the Court, except that upon signing a Consent for Trial Before a United States Magistrate Judge, the Magistrate Judge will establish an agreed date certain for trial and will amend this Plan and Order to provide for trial readiness consistent with that agreed date.

White Plains, New York

Dated: 4/23/08

SO ORDERED

  
Stephen C. Robinson U.S.D.J.

**Additional Provisions Related to Discovery Agreed Upon by the Parties**

1. There shall be no disclosure under Rule 26(a)(1) on plaintiffs' first, second, fourth and fifth claims for relief set forth in the First Amended Complaint, and plaintiffs' first, third and fourth claims for relief set forth in the First Supplemental Complaint, pursuant to Rule 26(a)(1)(E)(i) as these claims are for review on an administrative record.
2. Rule 26(a)(1) shall only apply to plaintiffs' third claim for relief set forth in the First Amended Complaint and plaintiffs' second claim for relief set forth in the First Supplemental Complaint.
3. Initial disclosures pursuant to Rule 26(a)(1) shall be made by May 2, 2008.
4. Defendants shall provide plaintiff with a copy of the administrative record on or before May 19, 2008, and the parties shall stipulate to the administrative record on or before June 2, 2008.
5. Expert disclosure pursuant to Rule 26(a)(2) shall be made by September 2, 2008.